

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

HEALTHSTAR, LLC and HEALTHSTAR EVV,)
LLC,)
Plaintiffs,)
v.) No. 3:18-CV-434-PLR-DCP
DYNAMIC VISION, INC., et al.,)
Defendants.)

ORDER

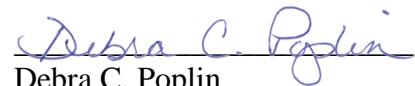
This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is a Motion to Withdraw Motion for Leave to Conduct Discovery and to Cancel Preliminary Injunction Hearing [Doc. 29] (“Motion to Withdraw”). For grounds, Plaintiffs state that they do not require continuing emergency equitable relief in this cause beyond Tuesday, October 30, 2018, the date currently set for the expiration of the ex parte temporary restraining order entered in the state court action. Defendants filed a Response [Doc. 30], stating that they do not object to Plaintiffs withdrawing their pending Motion for Preliminary Injunction and their pending Motion for Leave to Conduct Discovery Prior to Preliminary Injunction Hearing [Doc. 30]. In addition, they do not object to the Court canceling the October 30 hearing. Defendants state that they do object to footnote 1 in Plaintiffs’ instant Motion, which states that Plaintiffs are entitled to additional assistance and cooperation from Defendants in the transition of the EVV system to Plaintiffs. Defendants contend that if footnote 1 operates as a contingency or caveat to Plaintiffs’ Motion to Withdraw, then the hearing on October 30, 2018, should proceed.

Accordingly, given Plaintiffs' representation to the Court that they no longer need the emergency equitable relief in this cause beyond October 30, 2018, the Court **GRANTS** Plaintiffs' Motion to Withdraw Motion for Leave to Conduct Discovery and to Cancel the Preliminary Injunction Hearing [**Doc. 29**], and the hearing scheduled for **October 30, 2018**, is hereby **CANCELED**. The Court finds Plaintiffs' Motion for Extension of Temporary Restraining Order [**Doc. 9**] and Motion for Leave to Conduct Discovery Prior to Preliminary Injunction Hearing [**Doc. 25**] are **WITHDRAWN**.

IT IS SO ORDERED.

ENTER:


Debra C. Poplin
United States Magistrate Judge